

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

YENALVIS PENA,	:	
Plaintiff,	:	
	:	
v.	:	No. 5:23-cv-3117
	:	
UNITED STATES OF AMERICA,	:	
Defendant.	:	

ORDER

AND NOW, this 19th day of December, 2024, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT:**

1. Defendant's Motion to Dismiss Or, In the Alternative, for Summary Judgment, ECF No. 31, is **DISMISSED as moot**;
2. Defendant's Motion to Dismiss Or, In the Alternative, for Summary Judgment, ECF No. 33, is **GRANTED in part and DENIED in part**;
 - a. Defendant's Motion to Dismiss is **GRANTED** and the case is **DISMISSED** for lack of jurisdiction;
 - b. Defendant's Motion for Summary Judgment is **DISMISSED as moot**;
3. **JUDGMENT IS ENTERED** in favor of Defendant and against Plaintiff on all counts; and
4. This case is **CLOSED**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge